1EY

In re Application of: Michael A. Frace Exander I. Klimov and Jacqueline M. Kat

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original form and inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: PREPARATION AND USE OF RECOMBINANT INFLUENZA A VIRUS M2 CONSTRUCTS AND VACCINES, the specification of which was filed on August 6, 1998, as International Application No. PCT/US98/16379, which is a national stage application (U.S. Patent Application No. 09/485,099) having been filed under 35 U.S.C. 371.

Docket No. 0306

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used by others in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application. I further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. I understand that I have a duty of candor and good faith toward the Patent and Trademark Office, and I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Tıtle 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of the foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

priority is claimed:							•
Application No.	Country	Filing Date	<u>_</u>	Priority Claim	ed Under 35 U	ISC §119	•
				No		_No	
I hereby claim the benefit	under Title 35, U	nited States Coo	le, § 119(e)	of any United State	es provisional	application(s)) listed below:
(Application No.)	(F	iling Date)		(Application No	o.)	(Filin	ng Date)
I hereby claim the benefit the subject matter disclose provided by the first para defined in Title 37, Code of the national or PCT interna-	d and claimed in graph of Title 35 of Federal Regula	the present applications, United States ations, §1.56 wh	ication is no Code §112 ich became	ot disclosed in the p , I acknowledge th	prior United St	ates application lose material	on in the manne information as
Application Serial No	. Fili	ng Date		Status: patented, pe	nding, abando	ned	4/
08/906,930	Au	gust 6, 1997					
POWER OF ATTORNEY: Patent and Trademark Off Stephen M. Schaetzel -31, 31,771; Daniel J. Warren - L. Warren - 36,714; Brence 41,801; John K. McDona 43,732; Christopher J. Che Knowlton - 44,842; Charl Vaibhav P. Kadaba - 45,8 Metler - Reg. No. 45,365.	ce connected the 418; Larry A. Ro 34,272; Leona Cla Ozaki Holmes Id - 42,860; Mic an - 44,070; Joh es E. Peeler - 45	rewith: Anthony oberts - 31,871; G. Young - 37,20 - 40,339; Jame hael S. Pavento n M. Briski - 4 ,004; Cheryl L.	B. Askew Dale Lisch 56; Jamie L s D. Wither - 42,985; \$ 4,562; Lisa Huseman	- 24,154; Roger T. er - 28,438; Peter G. Greene-32,467; M. s - 40,376; Kimber Suzanne Seavello S. C. Elsevier - 44,6 45,392; Adam Av.	Frost - 22,176 G. Pappas - 33 Mary Anthony rly J. Prior - 4 Shope - 37,933 69; S. Craig H Vrunin - 45,45	; Robert E. R ,205; James ! Merchant - 3 1,483; Theod 1; Sima Singa lemenway - 4 7; Shelby B.	ichards - 29,105 Dean Johnson - 9,771; William lore M. Green - adia Kulkarni - 14,759; Paul E. Grier - 45,785;
	ONES & ASKE 400 Monarch To tlanta, GA 3032	wer, 3424 Peach	itree Road,		none calls at (4	·)
Full name of joint inventor	Michael A. Fr	ace		Citizens	ship: USA		
Residence and Post Office	Address: 1828	Ameta Avenue	, <u>Atlanta,</u> (A 30307		1-1-	
Inventor's signature	Michael	trac			Date: C	11/200	70

Application No.

Country

In re Application of: Michael A. Frace xander I. Klimov and Jacqueline M. Katz

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: PREPARATION AND USE OF RECOMBINANT INFLUENZA A VIRUS M2 CONSTRUCTS AND VACCINES, the specification of which was filed on August 6, 1998, as International Application No. PCT/US98/16379, which is a national stage application (U.S. Patent Application No. 09/485,099) having been filed under 35 U.S.C. 371.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used by others in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application. I further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. I understand that I have a duty of candor and good faith toward the Patent and Trademark Office, and I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of the foreign application(3) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

Filing Date

		Yes	No
I hereby claim the benefit under 7	Title 35, United States Code, §	119(e) of any United States provision	nal application(s) listed below:
(Application No.)	(Filing Date)	(Application No.)	(Filing Date)
the subject matter disclosed and oprovided by the first paragraph of	claimed in the present applicated Title 35, United States Coeral Regulations, §1.56 which	§120 of any United States application is not disclosed in the prior United the \$112. I acknowledge the duty to debecame available between the filing of	I States application in the manu- lisclose material information a
Application Serial No.	Filing Date	Status: patented, pending, abar	<u>ndoned</u>
08/906,930	August 6, 1997		

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

POWER OF ATTORNEY: The following attorneys are hereby appointed to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Anthony B. Askew - 24,154; Roger T. Frost - 22,176; Robert E. Richards - 29,105; Stephen M. Schaetzel -31,418; Larry A. Roberts - 31,871; Dale Lischer - 28,438; Peter G. Pappas - 33,205; James Dean Johnson - 31,771; Daniel J. Warren - 34,272; Leona G. Young - 37,266; Jamie L. Greene-32,467; Mary Anthony Merchant - 39,771; William L. Warren - 36,714; Brenda Ozaki Holmes - 40,339; James D. Withers - 40,376; Kimberly J. Prior - 41,483; Theodore M. G.een - 41,801; John K. McDonald - 42,860; Michael S. Pavento - 42,985; Suzanne Seavello Shope - 37,933; Sima Singadia Kulkarni - 43,732; Christopher J. Chan - 44,070; John M. Briski - 44,562; Lisa C. Elsevier - 44,669; S. Craig Hemenway - 44,759; Paul E. Knowlton - 44,842; Charles E. Peeler - 45,004; Cheryl L. Huseman - 45,392; Adam Avrunin - 45,457; Shelby B Grier - 45,785; Vaibhav P. Kadaba - 45,865; Scott E. Brient - 44,561; David J. Hayzer -43,329; Michael S. Greenfield - Reg. No. 37,142; Russ P. Metler - Reg. No. 45,365.

Send correspondence to: JONES & ASKEW, LLP

Direct telephone calls at (404) 949-2490

Priority Claimed Under 35 USC §119

2400 Monarch Tower, 3424 Peachtree Road, N.E.

Atlanta, GA 30326

Jamie L. Greene

's Docket No. 03063-0821US

OCT 1 9 2001

Full name of joint inventor: Alexander I. Klimov	Citizenship: Russia
Residence and Post Office Address: 13197 Amblewood Court, Atlanta, Ga	A 30345
Inventor's signature Alexander Kliman	Date: 8/14/00

pplication of: Michael A Frace, Alexander I. Klimov and Jacqueline M. Katz

velow named inventor, I hereby declare that:



My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: PREPARATION AND USE OF RECOMBINANT INFLUENZA A VIRUS M2 CONSTRUCTS AND VACCINES, the specification of which was filed on August 6, 1998, as International Application No. PCT/US98/16379, which is a national stage application (U.S. Patent Application No. 09/485,099) having been filed under 35 U.S.C. 371.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used by others in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application. I further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. I understand that I have a duty of candor and good faith toward the Patent and Trademark Office, and I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of the foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

	<u>Country</u>	Filing Date	Priority Claime	Priority Claimed Under 35 USC §119			
			Yes	·	No		
I hereby claim the ber	nefit under Title 35, I	Jnited States Code, § 1	19(c) of any United State	s provisional a	pplication(s) listed below:		
(Application No.)		Filing Date)	(Application No	.)	(Filing Date)		
the subject matter disc provided by the first	closed and claimed in paragraph of Title 3 ode of Federal Regu	n the present application 5, United States Code lations, §1.56 which be	on is not disclosed in the p §112, I acknowledge the	rior United Sta e duty to disclo	listed below and, insofar as tes application in the manne ose material information as of the prior application and		
Application Seria	ıl No. Fil	ling Date	Status: patented, per	nding, abandon	<u>ied</u>		
08/906.930	Aı	ugust 6, 1997					
Patent and Trademark Stephen M. Schaetzel 31,771; Daniel J. War	COffice connected the -31,418; Larry A. R Tren - 34,272; Leona Brenda Ozaki Holme	erewith: Anthony B. A Roberts - 31,871; Dale G. Young - 37,266; Ja es - 40,339; James D. V	Askew - 24,154; Roger T. Lischer - 28,438; Peter C Linie L. Greene-32,467; M Withers - 40,376; Kimber	Frost - 22,176; 3. Pappas - 33, Mary Anthony I Ily J. Prior - 41	transact all business in the Robert E. Richards - 29,10 205; James Dean Johnson Merchant - 39,771; William ,483; Theodore M. Green		
41,801; John K. McD 43,732; Christopher J Knowlton - 44,842; C Vaibhav P. Kadaba - 4	I. Chan - 44,070; Jol Charles E. Peeler - 4: 45,865; Scott E. Brie	hn M. Briski - 44,562; 5,004; Cheryl L. Huse	; Lisa C. Elsevier - 44,66 eman - 45,392; Adam Ay	59; S. Craig Horunin - 45,457	; Sima Singadia Kulkami emenway - 44,759; Paul E ; Shelby B. Grier - 45,785 - Reg. No. 37,142; Russ P		
41,801; John K. McD 43,732; Christopher J Knowlton - 44,842; C Vaibhav P. Kadaba - 4 Metler - Reg. No. 45,3	f. Chan - 44,070; Jol Charles E. Peeler - 4: 45,865; Scott E. Brie 365.	hn M. Briski - 44,562; 5,004; Cheryl L. Huse ent - 44,561; David J.]	; Lisa C. Elsevier - 44,66 eman - 45,392; Adam Av Hayzer –43,329; Michael	59; S. Craig Horunin - 45,457 I S. Greenfield	; Sima Singadia Kulkarni - emenway - 44,759; Paul E ; Shelby B. Grier - 45,785 - Reg. No. 37,142; Russ P		
41,801; John K. McD 43,732; Christopher J Knowlton - 44,842; C Vaibhav P. Kadaba - 4	 Chan - 44,070; Jol Charles E. Peeler - 4: 45,865; Scott E. Brie 365. JONES & ASKE 2400 Monarch To 	hn M. Briski - 44,562; 5,004; Cheryl L. Huse ent - 44,561; David J. J EW, LLP ower, 3424 Peachtree F	; Lisa C. Elsevier - 44,66 eman - 45,392; Adam Av Hayzer –43,329; Michael Direct teleph	59; S. Craig Horunin - 45,457	; Sima Singadia Kulkarni - emenway - 44,759; Paul E ; Shelby B. Grier - 45,785 - Reg. No. 37,142; Russ P		
41,801; John K. McD 43,732; Christopher J Knowlton - 44,842; C Vaibhav P. Kadaba - 4 Metler - Reg. No. 45,3	f. Chan - 44,070; Jol Charles E. Peeler - 4: 45,865; Scott E. Brie 365. to: JONES & ASKE	hn M. Briski - 44,562; 5,004; Cheryl L. Huse ent - 44,561; David J. J EW, LLP ower, 3424 Peachtree F	; Lisa C. Elsevier - 44,66 eman - 45,392; Adam Av Hayzer –43,329; Michael Direct teleph	59; S. Craig Horunin - 45,457 I S. Greenfield	; Sima Singadia Kulka ni emenway - 44,759; Paul E ; Shelby B. Grier - 45,785 - Reg. No. 37,142; Russ P		
41,801; John K. McD 43,732; Christopher J Knowlton - 44,842; C Vaibhav P. Kadaba - 4 Metler - Reg. No. 45,3 Send correspondence	f. Chan - 44,070; Jol Charles E. Peeler - 4: 45,865; Scott E. Brie 365. to: JONES & ASKE 2400 Monarch To Atlanta, GA 303:	hn M. Briski - 44,562; 5,604; Cheryl L. Huse ent - 44,561; David J. J EW, LLP ower, 3424 Peachtree F 26	; Lisa C. Elsevier - 44,66 eman - 45,392; Adam Av Hayzer –43,329; Michael Direct teleph Road, N.E.	69; S. Craig Hortunin - 45,457 I S. Greenfield none calls at (4)	; Sima Singadia Kulka ni emenway - 44,759; Paul E ; Shelby B. Grier - 45,785 - Reg. No. 37,142; Russ P 04) 949-2400 eene		